

# **EXHIBIT A**

HENDRICKS & HENDRICKS  
73 Paterson Street  
New Brunswick, New Jersey 08901  
(732) 828-7800  
Attorney for Plaintiff

EDITH MARTINEZ,

Plaintiffs,

vs.

WORLD PAC, INC., RYAN CARDWELL,  
JOHN DOE (the name "John Doe" being  
fictitious), and ABC CORPORATION (the  
name "ABC Corporation" being fictitious),

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

CIVIL ACTION

DOCKET NO.: MID-L-7663-12

SUMMONS

FROM: THE STATE OF NEW JERSEY, TO: THE ABOVE-NAMED DEFENDANT:  
WORLD PAC, INC.

The Plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The Complaint attached to this summons states the basis for this lawsuit. If you dispute this Complaint, you or your attorney must file a written Answer or Motion and Proof of Service with the Deputy Clerk of the Superior Court at the Middlesex County Court House, 1 JFK Square, New Brunswick, NJ 08901 within thirty-five (35) days from the date you received this Summons, not counting the date you received it. If the Complaint is one in foreclosure, then you must file your written Answer or Motion and Proof of Service with the Clerk of the Superior Court, CN 971, Trenton, NJ 08650. A filing fee (\$135.00 for Chancery Division Cases or \$135.00 for Law Division Cases) payable to the Clerk of the Superior Court together with a completed Case Information Statement (available from the Deputy Clerk of the Superior Court) must accompany your Answer or Motion when it is filed. You must send a copy of your Answer or Motion to Plaintiff's attorney whose name and address appear above, or to Plaintiff, if no attorney is named above. A telephone call will not protect your rights, you must file and serve a written Answer or Motion (with fee and completed Case Information Statement) if you want the Court to hear your defense.

If you do not file and serve a written Answer or Motion within thirty-five (35) days, the Court may enter a judgment against you for the relief Plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford to pay an attorney, call a Legal Services Office. An individual not eligible for free legal assistance may obtain a referral to an attorney by calling a county lawyer referral service. These numbers may be listed in the yellow pages of your phone book or may be obtained by calling the New Jersey State Bar Association Lawyer Referral Service toll-free 800-852-0127 (within New Jersey) or 201-249-5000 (from out of state). The phone numbers for the county in which this action is pending are: Lawyer Referral Service, 732-828-0053, Legal Services Office, 732-249-7600.

Dated: November 27, 2012

*/s/ Jennifer M. Perez*  
JENNIFER M. PEREZ, ESQ., Clerk, Superior Court

Name of defendant to be served: WORLD PAC, INC.

Address for Service: 300 Herrod Boulevard, Dayton, NJ 08810

MIDDLESEX VICINAGE CIVIL DIVISION  
P O BOX 2633  
56 PATERSON STREET  
NEW BRUNSWICK NJ 08903-2633

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (732) 519-3728  
COURT HOURS

DATE: NOVEMBER 19, 2012  
RE: MARTINEZ EDITH VS WORLDPAK INC  
DOCKET: MID L -007663 12

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 3.

DISCOVERY IS 450 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS  
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON MATHIAS E. RODRIQUEZ

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002  
AT: (732) 519-3737 EXT 3737.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.

PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R.4:5A-2.

ATTENTION:

ATT: PATRICIA M. LOVE  
HENDRICKS & HENDRICKS  
73 PATERSON STREET  
NEW BRUNSWICK NJ 08901

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FILED & RECEIVED #1  
2012 NOV 14 A 11:02  
CIVIL DIVISION  
MIDDLESEX COUNTY

HENDRICKS & HENDRICKS  
73 Paterson Street  
New Brunswick, New Jersey 08901  
(732) 828-7800  
Attorney for Plaintiff

EDITH MARTINEZ,

Plaintiffs,

vs.

WORLD PAC, INC., RYAN CARDWELL,  
JOHN DOE (the name "John Doe" being  
fictitious), and ABC CORPORATION (the  
name "ABC Corporation" being fictitious),

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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
MIDDLESEX COUNTY

CIVIL ACTION MID-L- 7 6 6 3 1 2

DOCKET NO.:

COMPLAINT  
AND  
JURY DEMAND

Plaintiff, EDITH MARTINEZ, residing at 280 Fulton Street in the City of New Brunswick, County of Middlesex, and State of New Jersey, by way of Complaint against the defendants, says:

**COUNT ONE**

1. Plaintiff was an employee of defendant, Worldpac, Inc., from approximately November of 2009 until December 30, 2010, at which time she was terminated.
2. Defendant, Worldpac, Inc., is a corporation with headquarters in California, but does business throughout the United States including in New Jersey.
3. The plaintiff's work situs with defendant Worldpac, Inc. was located at 300 Herrod Blvd., in the Township of Dayton, County of Middlesex and State of New Jersey.
4. On or about December 14, 2010, the plaintiff presented to the emergency department at Robert Wood Johnson University Hospital and was admitted until

December 17, 2010. She was told by her doctor not to return to work until December 27, 2010.

5. Each day that the plaintiff was ill as described above, she called the defendant, Worldpac, Inc., to advise of her continued illness and that she would be missing work as a result.
6. On December 27, 2010, the plaintiff presented her employer with a note from her doctor indicating that she had an excused absence due to medical problems which necessitated in-patient hospitalization from December 14, 2010 until December 17, 2010 and that she was able to return to work on December 27, 2010. The plaintiff gave this note to her supervisor, Patricia.
7. On December 27, 2010, the plaintiff also advised another supervisor, Michael Nicholson, that she was going to require surgery in January of 2011 to address her medical problem, which would involve additional time out of work.
8. At no point did the plaintiff's supervisor advise her that she would be entitled to unpaid leave for this medical issue, refer her to the Human Resources Department or otherwise advise or assist her in obtaining information needed to apply for a medical leave.
9. Without any prior notice, on December 30, 2010, Plaintiff Edith Martinez was escorted to the Human Resources department and was wrongfully terminated by Human Resources representative, Ryan Cardwell. She was never advised at that time that she could apply for medical leave or that her time off from work for hospitalization would qualify for medical leave time.

10. Defendant Worldpac, Inc., through its employees, defendants, Ryan Cardwell and John Doe, violated the New Jersey Family Leave Act (N.J.S.A. 34:11B-1 et. seq.), by terminating the plaintiff as a result of her documented personal illness which required hospitalization and otherwise violated those laws.

**WHEREFORE**, Plaintiff, Edith Martinez, hereby demands judgment against defendant, Worldpac, Inc., defendant, Ryan Cardwell, defendant John Doe, (the name "John Doe" being fictitious), and ABC Corporation (the name "ABC Corporation" being fictitious, for compensatory, punitive and exemplary damages, together with interest, attorney's fees and costs of suit.

**COUNT TWO**

1. Plaintiff, Edith Martinez, hereby repeats each and every allegation of Count One of this Complaint as if same were set forth herein at length.
2. The above acts and practices of defendants Worldpac, Inc., and Ryan Cardwell and John Doe, (fictitious), and/or ABC Corporation, (fictitious), acting within the scope of their employment and authority of their employers, constitute a violation of the Federal Family and Medical Leave Act, 29 U.S.C. 2601, et. seq., by summarily terminating the plaintiff as a result of her emergency hospitalization and/or expected further medical leave.

**WHEREFORE**, Plaintiff, Edith Martinez, hereby demands judgment against defendant, Worldpac, Inc., defendant, Ryan Cardwell, defendant John Doe, (the name "John Doe" being fictitious), and ABC Corporation (the name "ABC Corporation" being fictitious), for compensatory, punitive and exemplary damages, together with interest, attorney's fees and costs of suit.

**COUNT THREE**

1. Plaintiff Edith Martinez hereby repeats each and every allegation of Counts One and Two of this Complaint as if same were set forth herein at length.
2. The above acts and practices of defendants Worldpac, Inc., and Ryan Cardwell, and John Doe, (fictitious), and/or ABC Corporation, (fictitious), constitute a violation of the New Jersey Law Against Discrimination, in that the defendants, either individually or collectively, discriminated against the plaintiff based on her temporary disability as well as the anticipated temporary disability she was expecting for January 2011.

**WHEREFORE**, Plaintiff, Edith Martinez, hereby demands judgment against defendant, Worldpac, Inc., defendant, Ryan Cardwell, defendant John Doe, (the name "John Doe" being fictitious), and ABC Corporation (the name "ABC Corporation" being fictitious), for compensatory, punitive and exemplary damages, together with interest, attorney's fees and costs of suit.

**DEMAND FOR TRIAL BY JURY**

Plaintiff hereby demands a trial by jury as to all issues.

**CERTIFICATION**

I hereby certify that the matter in controversy is not the subject of any other action or arbitration proceeding now or contemplated.

Pursuant to the provisions of R. 4:5-1(b)(3), I hereby certify that the foregoing Complaint contains no personal confidential identifiers as to my client and that the responsibility to ensure

that no such personal confidential identifiers appear in any subsequent pleadings on my client's behalf in this action is hereby recognized.

Pursuant to the provisions of R. 4:25-1, the Court is advised that the undersigned attorney is hereby designated as Trial Counsel.

HENDRICKS & HENDRICKS  
Attorney for Plaintiff, Edith Martinez


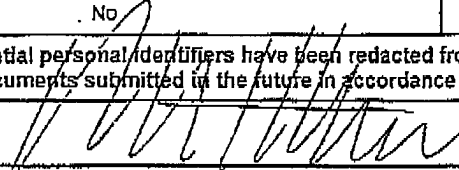
BY: 

PATRICIA M. LOVE

DATED: November 9, 2012



## Appendix XII-B1

 <b>CIVIL CASE INFORMATION STATEMENT (CIS)</b> Use for initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERK'S OFFICE ONLY	
		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA	CHG/CK NO.
ATTORNEY / PRO SE NAME Patricia M. Love		TELEPHONE NUMBER (732) 828-7800	COUNTY OF VENUE Middlesex
FIRM NAME (if applicable) Hendricks & Hendricks, Esqs.		DOCKET NUMBER (when available) MID-L-766312	
OFFICE ADDRESS 73 Paterson Street New Brunswick, NJ 08901		DOCUMENT TYPE Complaint	
		JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
NAME OF PARTY (e.g., John Doe, Plaintiff) Edith Martinez, Plaintiff	CAPTION Edith Martinez v. Worldpac, Inc., Ryan Cardwell, John Doe (the name "John Doe" being fictitious), and ABC Corporation (the name "ABC Corporation" being fictitious)		
CASE TYPE NUMBER (See reverse side for listing) 618	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
RELATED CASES PENDING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF YES, LIST DOCKET NUMBERS		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN		
<b>THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.</b>			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION			
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input checked="" type="checkbox"/> FAMILIAL <input checked="" type="checkbox"/> BUSINESS		
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION			
<input checked="" type="checkbox"/> DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION	
WILL AN INTERPRETER BE NEEDED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE? Spanish	
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).			
ATTORNEY SIGNATURE: 			

Side 2



# CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

## Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 601 SUMMARY ACTION
- 602 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

## Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

## Track III - 450 days' discovery

- 006 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

## Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

## Centrally Managed Litigation (Track IV)

- |  |   |
|--|---|
| 285 STRYKER TRIDENT HIP IMPLANTS           | 291 PELVIC MESH/GYNECARE                |
| 288 PRUDENTIAL TORT LITIGATION             | 292 PELVIC MESH/BARD                    |
| 289 REGLAN                                 | 293 DEPUY ASR HIP IMPLANT LITIGATION    |
| 290 POMPTON LAKES ENVIRONMENTAL LITIGATION | 295 ALLODERM REGENERATIVE TISSUE MATRIX |
|  | 523 PROPECIA                            |

## Mass Tort (Track IV)

- |                                       |  |
|---------------------------------------|--|
| 266 HORMONE REPLACEMENT THERAPY (HRT) | 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL |
| 271 ACCUTANE/ISOTRETINOIN             | 282 FOSAMAX                            |
| 274 RISPERDAL/SEROQUEL/ZYPREXA        | 284 NUVARING                           |
| 278 ZOMETHA/ARELIA                    | 286 LEVAQUIN                           |
| 279 GADOLINIUM                        | 287 YAZ/YASMIN/OCELLA                  |
|                                       | 501 ASBESTOS                           |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics,"

Please check off each applicable category ☐ Putative Class Action ☐ Title 59